



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/654,205 | 09/01/2000 | Ephraim Feig | YO999-487 | 6298 |

7590 03/24/2006

Harry F Smith Esq
Ohlandt Greeley Ruggiero & Perle LLP
One Landmark Square
9th Floor
Stamford, CT 06901-2682

EXAMINER

CHUONG, TRUC T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2179

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 09/654,205 | Applicant(s) FEIG ET AL. | |
| | Examiner Truc T. Chuong | Art Unit 2179 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-11,14,15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-11,14,15 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to the Amendment, filed 12/27/05.

Claims 1, 3-6, 8-11, 14-15, and 17 are pending in this application. In this communication, claims 1, 6, 11, 14 and 15 are amended, and claims 2, 7, 12-13, and 16 are cancelled. This action is made final.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1, 3-6, 8-11, 14-15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haber ("Haber", U.S. Patent No. 7,000,242 B1) in view of Mark R. Brown ("Mark", Using Netscape 2, 1995, pages 167).

Art Unit: 2179

As to claims 1, 6, and 11, Haber teaches a method for indicating the location or time dependent video hypervideo hyperlinks to a user, comprising the steps of:

displaying a video presentation on at least a portion of a display device screen (fig. 2 shows video content area, e.g., col. 4 lines 36-47), said video presentation including a hypervideo hyperlink emphasis region (each area of the image is anchored with an associated hyperlink, e.g., col. 4 lines 53-63, and fig. 2); and

providing the user, at times of viewing, with at least one user selectable display attribute for said hypervideo hyperlink emphasis region (e.g., col. 4 lines 53-63, col. 6 lines 25-35 and fig. 2),

wherein at least one of said user selectable display attribute (each area of the image is anchored with an associated hyperlink, e.g., col. 4 lines 53-63, and fig. 2);

however Haber does not teach that the selectable display attribute comprises at least one of displaying said hypervideo hyperlink emphasis region in gray scale only format, and displaying said hypervideo hyperlink emphasis region in reverse-color mode format. Mark clearly teaches that the user can setup the Internet browser (Netscape) using a different color for links, i.e., the link that has not been visited or has already visited can be customized in different colors such as black and white, red and black, green and blue, etc (Mark, page 167). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have the different color for links of Mark in the hypervideo hyperlink

Art Unit: 2179

of Haber to improve visualization on each link for the user to determine which hyperlinks have already visited or new links (Mark, page 167).

As to claim 3, Haber teaches the method of claim 1 further comprising the step of displaying to the user, at the time of viewing, an options menu listing said at least one user selectable display attributes, wherein said displaying of said options menu is selectively controlled by the user (e.g., fig. 2).

As to claims 4 and 14, Haber teaches the method wherein the user selectively controls the displaying of said options menu by positioning a user-controlled cursor in a specified emphasis region of said display device screen (the user can select each area of the image map and each area is anchored with an associated hyperlink, e.g., col. 4 lines 53-63, and fig. 2).

As to claim 5, Haber teaches the method of claim 1 further comprising the steps of:

opening a hypervideo data file; decoding a video file associated with said hypervideo data file (fig. 2 shows video content area, e.g., col. 4 lines 36-47); and encoding the decoded video file with a hypervideo hyperlink emphasis region in at least one key frame (each area of the image is anchored with an associated hyperlink, e.g., col. 4 lines 53-63, and fig. 2).

As to claims 8-10, these are system claims of method claims 3-5. Note the rejections of claims 3-5 above respectively.

As to claims 15 and 17, they are computer program product claims of method claims 1 and 3. Note the rejections of claims 1 and 3 above.

Response to Arguments

3. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fujii (U.S. Patent No. 6,204,842 B1) teaches hypervideo hyperlinks, emphasis regions, and GUI (cols. 2-7 and figs. 2-8).

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. Chuong whose telephone number is 571-272-

Art Unit: 2179

4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

0317/06



WEILUN LO
SUPERVISORY PATENT EXAMINER